

JUL 31 '24 PM3:04
RCVD - USDC FLO SC

IN ~~THE~~ UNITED STATES DISTRICT COURT
FOR ~~THE~~ DISTRICT OF SOUTH CAROLINA

Phillip Mitchell Butler

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Credit One Bank
John Account Supervisor
CEO Robert DeJong

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Phillip Butler</u>
Street Address	<u>299 Fox Paw Court</u>
City and County	<u>Branchville SC</u>
State and Zip Code	<u>29432</u>
Telephone Number	<u>954-243-8510</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>John / Credit One Bank</u>
Job or Title (if known)	<u>Account Supervisor</u>
Street Address	<u>6801 S Cimarron Rd</u>
City and County	<u>Las Vegas, NV</u>
State and Zip Code	<u>89113</u>
Telephone Number	<u>1877825-3242</u>

Defendant No. 2

Name	<u>Robert Dejong</u>
Job or Title (if known)	<u>CEO</u>
Street Address	<u></u>
City and County	<u></u>
State and Zip Code	<u></u>
Telephone Number	<u></u>

Defendant No. 3

Name	<u>Rob Pittman</u>
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Job or Title
(if known)

Vice president

Street Address

City and County

State and Zip Code

Telephone Number

Defendant No. 4

Name

Steve Min

Job or Title
(if known)

Chief Credit Officer of Risk Management

Street Address

City and County

State and Zip Code

Telephone Number

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

The Civil Rights Act of 1991

The Civil Rights Act of 1964

15 U.S. Code and 1666 and 18 U.S. Code and 2340A

3. VII of the Civil Rights Act of 1964, The Civil Rights
Act of 1991 and (18 U.S. Code and 2340A)

(B) I want a jury because I want to be heard by regular citizens about their bad business practices.

(C) I was defrauded and misinformed and money was taken horrible business practice.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) Phillip Mitchell Butler is a citizen of the State of (name) South Carolina.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

Robert Dejong
The defendant, (name) Credit One Bank, is a citizen of the State of (name) LAS VEGAS NV. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Credit One Bank, is incorporated under the laws of the State of (name) LAS VEGAS NEVADA, and has its principal place of business in the State of (name) NEVADA. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Last year I opened a new account with credit one bank. I was charged extra high fees illegally. They have a poor reputation of closing accounts for fees and lack of helping a loyal customer with information in times of distress and crisis. The representatives in the company do not try to explain or represent me effectively .My card was constantly being turn off and not working and leave me in the dark about the matter. So now I want unlimited access to my credit because my social security number is what generated the funds. I never authorize or sign a contract giving them the power to act against my best interest . I was never properly informed about my funds neither was my funds handled correctly in a way that benefited me. I was never given full access to my money or credit and they illegally reported my account information negatively to the credit bureau putting my account in bad standing causing me financial hardship and distress.(statement of claim)

Relief

I would like all my fees that they charged me for my account to be reimbursed with interest charge. And any dividends or interest that my funds generated returned to me in full I would like an open line of credit issued to me. As for the misrepresentation that was portrayed by the company I want 2 million dollars in damages for my mental anguish and the deception that was shown against me .

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

☒ I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 7-25, 2024

Signature of Plaintiff

Printed Name of Plaintiff

Phillip Mitchell Butler
Phillip Mitchell Butler

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address